



Department of Justice

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DOJ/FTC HEARINGS TO HIGHLIGHT BUSINESS AND ECONOMIC PERSPECTIVES ON COMPETITION AND INTELLECTUAL PROPERTY POLICY

WASHINGTON, D.C. – The Department of Justice's Antitrust Division and the Federal Trade Commission today announced topics, updated times and locations, and participants for many of the upcoming sessions in their joint hearings on "**Competition and Intellectual Property Law and Policy in the Knowledge-Based Economy.**" The hearings primarily will examine the implications of competition and patent law and policy for innovation and other aspects of consumer welfare. The general public and press are invited to attend. Seating will be on a first-come, first-served basis with an overflow room provided for hearings at the FTC. Written comments from interested parties may be submitted to the FTC. Available information for hearing sessions scheduled for February through May follows below.

February 20:

Economic Perspectives on Intellectual Property, Competition, and Innovation (FTC - Room 432)

9:30am - 12:30pm: Intellectual Property and Innovation

Wesley M. Cohen, Professor of Economics and Social Science, Carnegie Mellon University

Robert E. Evenson, Professor of Economics, Yale University

Edmund W. Kitch, Joseph M. Hartfield Professor of Law, University of Virginia School of Law

James A. Langenfeld, Director, LECG, LLC

Maureen A. O'Rourke, Professor of Law, Boston University School of Law

2:00pm - 4:30pm: Competition and Innovation

Shane M. Greenstein, Elinor and Wendall Hobbs Professor of Management and Strategy, Northwestern University

Margaret E. Guerin-Calvert, Principal, Economists, Inc.

Joshua Lerner, Jacob H. Schiff Professor of Investment Banking, Harvard Business School

Stan Liebowitz, Professor of Managerial Economics, The University of Texas at Dallas

Philip B. Nelson, Principal, Economists, Inc.

Janusz Ordover, Professor of Economics, New York University

Lawrence White, Arthur E. Imperatore Professor of Economics, New York University

February 25-28:
Economic Perspectives and Real-World Experiences with Patents

With the support of the Competition Policy Center and the Berkeley Center for Law & Technology of the University of California at Berkeley, all sessions will be held in the Wells Fargo Room, Cheit Hall, Haas School of Business, 2220 Piedmont Avenue, University of California, Berkeley.

February 25

1:00pm - 4:30pm: Economic Perspectives on Intellectual Property, Competition, and Innovation

Ashish Arora, Visiting Associate Professor of Economics, Stanford University, and Associate Professor of Economics and Public Policy, Carnegie Mellon University
Kenneth Arrow, Nobel Memorial Prize and Joan Kenney Professor of Economics Emeritus, and Professor of Operations Research Emeritus, Stanford University
Richard J. Gilbert, Professor of Economics, University of California, Berkeley
Mark Lemley, Professor of Law, and Director, Berkeley Center for Law & Technology, University of California, Berkeley
Lawrence Lessig, Professor of Law, Stanford Law School
Daniel L. Rubinfeld, Robert L. Bridges Professor of Law, and Professor of Economics, University of California, Berkeley
Howard Shelanski, Acting Professor of Law, and Director, Berkeley Center for Law & Technology, University of California, Berkeley
Hal R. Varian, Dean, School of Information Management and Systems, and Professor, Haas School of Business and Department of Economics, University of California, Berkeley

February 26

9:00am - 12:30pm: Economic Perspectives on Intellectual Property, Competition, and Innovation

John H. Barton, George E. Osborne Professor of Law, Stanford Law School
Bronwyn H. Hall, Professor of Economics, University of California, Berkeley
Robert P. Merges, Wilson Sonsini Goodrich & Rosati Distinguished Professor of Law and Technology, and Director, Berkeley Center for Law and Technology, University of California, Berkeley
Suzanne Anderson Scotchmer, Professor of Economics and Public Policy, University of California, Berkeley
Andrew Steinberg, Vice President and General Counsel, Travelocity
Robert D. Stoner, Vice President, Economists, Inc.
David J. Teece, Mitsubishi Bank Professor of International Business and Finance, University of California, Berkeley

2:00pm - 4:30pm: Business Perspectives on Patents: Biotech and Pharmaceuticals

David W. Beier, Partner, Hogan & Hartson, Counsel to Biotechnology Industry Organization

Lee Bendekgey, General Counsel and Executive Vice President, Incyte Genomics

Robert Blackburn, Vice President, Chief Patent Counsel, Chiron Corp.

David J. Earp, Vice President, Intellectual Property, Geron Corp.

Michael K. Kirschner, Vice President Intellectual Property, Immunex Corp.

Ross Oehler, Vice President, U.S. Patent Operations, Aventis Pharmaceuticals Inc.

February 27

9:30am - 12:30pm: Business Perspectives on Patents: Software and the Internet

Yar R. Chaikovsky, General Counsel, Zaplet, Inc.

R. Jordan Greenhall, Chief Executive Officer, Divx Networks

Joshua Kaplan, President and Chief Executive Officer, Intouch Group, Inc.

Robert H. Kohn, Vice Chairman, Borland Software Corp.

Paul Misener, Vice President, Global Public Policy, Amazon.com

David C. Mowery, Milton W. Terrill Professor of Business, University of California, Berkeley

John Place, Executive Director, Center for Internet and Society, Stanford Law School

James Pooley, Partner, Milbank, Tweed, Hadley & McCoy

2:00pm - 4:30pm: Diverse Perspectives on Patents

Greg Aharonian, Editor, Internet Patent News Service

Katherine Ku, Director, Office of Technology Licensing, Stanford University

Carl Shapiro, *Transamerica Professor of Business Strategy and Professor of Economics, Haas School of Business, and Director, Institute of Business and Economic Research, University of California, Berkeley*

Robert P. Taylor, Partner, *Howrey Simon Arnold & White, LLP*

Les J. Weinstein, Partner, *Squire, Sanders, & Dempsey*

February 28

9:30am - 11:30am: Economic and Other Perspectives on Patent Standards and Procedures

Joseph Farrell, Professor of Economics, University of California, Berkeley, and Chair, Competition Policy Center

Justin Hughes, Visiting Professor of Law, University of California, Los Angeles

Robert P. Merges, Wilson Sonsini Goodrich & Rosati Distinguished Professor of Law and Technology, and Director, Berkeley Center for Law & Technology, University of California, Berkeley

1:00pm - 4:00pm: Business Perspectives on Patents: Hardware and Semiconductors

Robert Barr, Vice President, Worldwide Patent Counsel, Cisco Systems, Inc.
Peter N. Detkin, Vice President, Legal and Government Affairs and Assistant General Counsel, Intel Corporation
Stephen P. Fox, Associate General Counsel and Director, Intellectual Property, Hewlett-Packard Company
Bronwyn H. Hall, Professor of Economics, University of California, Berkeley
Julie Mar-Spinola, Chief Litigation and Intellectual Property Counsel, Atmel Corporation
Joel Poppen, Associate General Counsel, Litigation and Licensing, Micron Technology, Inc.
Desi Rhoden, President and Chief Executive Officer, Advanced Memory International, Inc.
Frederick J. Telecky, Jr., Senior Vice President and General Patent Counsel, Texas Instruments

Additional sessions will be held at the FTC, Room 432, during March, April, and May. The panelists for these sessions will be announced as further information becomes available. Topics and dates for concluding sessions in June will be announced at a later time. Several hearing sessions in April and May will provide a forum for addressing a number of topics central to the intersection of antitrust and intellectual property law.

**March 19-20:
Business and Other Perspectives on Real-World Experience with Patents**

Similar to the Berkeley sessions, these sessions will focus on testimony regarding "real-world" experience with patents and competition.

**April 10-11:
Economic and Other Perspectives on Patent Standards and Procedures**

These sessions will explore economic and other perspectives, and the approaches that they suggest, regarding patent standards and procedures.

**April 16:
Antitrust Analysis of Specific Intellectual Property Licensing Practices**

Participants in this session will analyze practices such as package licensing and grant backs, methods of extending the life of intellectual property rights and the practical issues encountered in analyzing these practices.

**April 17:
Patent Pools and Cross-Licensing: When Do They Promote or Harm Competition?**

Participants in this session will discuss the benefits and competitive concerns of business arrangements in which multiple parties hold related intellectual property rights.

**April 18:
Standard-Setting Practices:
Competition, Innovation and Consumer Welfare**

Participants in this session will discuss the antitrust treatment of common practices used by organizations to set standards that incorporate intellectual property. Participants will address effects on innovation and product market competition.

**May 1:
The Strategic Use of Licensing:
Is There Cause for Concern about Unilateral Refusals to Deal?**

Participants in this session will discuss the extent to which refusals to license intellectual property create competitive concerns, how recent case law on refusals to license is being interpreted, and whether this recent case law appropriately balances the interests of intellectual property law and antitrust law.

**May 2:
A Competition View of Patent Settlements**

Participants in this session will explore the efficiencies and competitive concerns that patent settlements may generate in a variety of industries and factual settings.

**May 22-23:
An International Comparative Law Perspective
on the Relationship Between Competition and Intellectual Property**

Participants in these sessions will discuss competition law approaches that are presently in place or are under consideration in jurisdictions outside the United States.

Further information about these and subsequent sessions in June will be posted on the Department of Justice web site www.usdoj.gov/atr/hearing.htm and the FTC web site ["http://www.ftc.gov"MACROBUTTONHtmlResAnchorwww.ftc.gov/opp/intellect/index.htm](http://www.ftc.gov/MACROBUTTONHtmlResAnchorwww.ftc.gov/opp/intellect/index.htm) as it becomes available.

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